

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWIN BAEZ,

Defendant.

**8:22CR135**

**PRELIMINARY ORDER OF  
FORFEITURE**

This matter is before the Court on the government's Motion for Preliminary Order of Forfeiture (Filing No. 82). The Court has carefully reviewed the record in this case and finds as follows:

1. On February 8, 2024, defendant Edwin Baez ("Baez") pleaded guilty to Counts One and Two of the Information (Filing No. 75) and admitted the Forfeiture Allegation. Count One charged Baez with possession with intent to distribute a mixture and substance containing cocaine; in violation of 21 United States Code section 841(a)(1) and (b)(1)(C). Count Two of the Information charged him with possessing a firearm in furtherance of a drug trafficking crime; in violation of 18 United States Code 924(c)(1)(A)(i). As set out in the terms of the plea agreement (Filing No. 79), the government agrees to move to dismiss the forfeiture allegation from the Bill of Particulars related to the 2018 Dodge Charger R/T sedan at the time of sentencing.

2. The Forfeiture Allegation sought the forfeiture, pursuant to 21 U.S.C. § 853, of \$104,653.00 in United States currency seized on or about May 26, 2022, from the residence at 4512 S. 60th Avenue, Omaha, Nebraska, on the basis that it was (a) used to facilitate the offenses charged in the Information or (b) derived from proceeds obtained directly or indirectly as a result of the commission of the offenses charged in the Information.

3. Based on Baez's guilty plea and admission, Baez forfeits his interest in the \$104,653 in United States currency and the government is entitled to possession of said currency pursuant to 21 U.S.C. § 853.

4. The government's Motion for Preliminary Order of Forfeiture is granted.

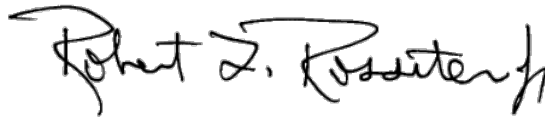
IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 82) is granted.
2. Based upon the Forfeiture Allegation of the Information and Baez's plea of guilty and admission, the government is hereby authorized to seize the \$104,653 in United States currency.
3. Baez's interest in the \$104,653 in United States currency is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
4. The \$104,653 in United States currency is to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the \$104,653 in United States currency in such manner as the Attorney General may direct, and notice that any person, other than the Baez, having or claiming a legal interest in any of the subject property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the \$104,653 in United States currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the \$104,653 in United States currency and any additional facts supporting the Petitioner's claim and the relief sought.

7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the \$104,653 in United States currency as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 15th day of February 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.  
Chief United States District Court Judge